

Notice of Allowability

Application No.

09/329,668

Applicant(s)

WILK, PETER J.

Examiner

JAGDISH PATEL

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal filed 7/4/04.
2. ☒ The allowed claim(s) is/are 1,3-9,12,13,15 and 17.
3. ☒ The drawings filed on 10 June 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☒ to Paper No./Mail Date paper No.2.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This communication is in response to supplemental appeal brief filed 6/4/04.

Response to Arguments

2. Applicant's arguments presented in Supplemental Appeal Brief dated 6/4/04 in conjunction with the amendment of independent claims 1 and 8 through the examiner's amendment presented below are deemed persuasive. Accordingly, pending claims 1, 3-9,12, 13,15 and 17 have been allowed.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with R. Neil Sudol (Reg. No. 31,669) on 9/7/04.

The application has been amended as follows:

Claims 1 and 8 have been amended to read:

1. A method for facilitating financing of new technology, comprising:

Art Unit: 3624

receiving over a host computer information describing purported advances in technology, from remote computers over a global communication network connected to the host computer;

accessing said host computer to obtain said information;

performing an evaluation of said advances in technology;

determining, based on the evaluation, for each of said advances, a fixed monetary amount to be contributed in exchange for a unit of equity in a prospective technology development venture to develop the respective one of said advances;

transmitting, over said global computer to preselected computers, identifications of said advances together with respective values of the determined fixed monetary amounts; and

receiving at the host computer, over the global computer network from at least some of said preselected computers, respective bids for desired number of units of equity in the technology development ventures.

8. A business method for enhancing investment in new technologies, comprising;

selecting a predetermined number of potential investors;

transmitting, to said potential investors, investment opportunities each comprising an identification of purportedly new technology and a fixed monetary amount to be exchanged in return for a predetermined unit of equity in a prospective technology development venture to develop the respective technology;

receiving bids for units of equity from at least some of said investors, the receiving of said bids for units of equity including operating a host computer to monitor messages arriving over a global computer network;

Art Unit: 3624

recording identities of the bidding investors and the numbers of units of equity bid;

automatically tallying total units bid;

terminating bidding upon attainment of a predetermined number of units bid,

monitoring information arriving over said global computer network at said host computer, said information describing purported advances in technology; and

selecting said prospective technology development venture from among the purported advances in technology described in the information arriving over said global computer network.

Allowable Subject Matter

2. Claims 1, 3-9,12, 13,15 and 17 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The allowed claims pertain to a method and system for facilitating financing of new technologies over a global computer network.

The following prior art references have been deemed most relevant to the allowed claim(s):

RCT's Tips for Investors (RCT) (Research Corporation Technologies webpage www.rctech.com as obtained from web.archive.org teaches appraisal of technologies for commercial potential, patentability and technical merit. RCT carries out

Art Unit: 3624

development and financing plans for new technologies deemed to have high value potential.

The Internet and the Cyber-securities Marketplace (Cyber-securities) teaches initial offerings of securities through the Internet.

The RCT and Cyber-securities references as discussed above as the Closest Prior art of record fails to teach or suggest a method for facilitating financing of new technologies comprising the following novel features.

Claims 1 and 8 both recite novel features of performing an evaluation of advances in technology whose information is received at a host computer from remote computers connected to the host computer via a global computer network such as the Internet, for a fixed monetary amount to be contributed in exchange for a unit of equity in a prospective technology development venture to develop the respective of the advances and transmitting over the global computer network to preselected computers, identification of the advances with the respective values of the determined fixed monetary amounts.

Claims 3-7, 9,12, 13,15 and 17 depend on claims 1 and 8 and therefore are deemed allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to

Art Unit: 3624

avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Donner (US 5,999,907) teaches a system that collects pertinent data regarding an intellectual property portfolio and analyzes the collected data against empirical data to provide a qualitative and/or quantitative analysis of the intellectual property portfolio.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571)272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

4/18/05